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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

M/047/0090

0007

July 7, 2009

Rob Dubuc, Esq.  
Western Resource Advocates  
150 S. 600 E., Suite 2A  
Salt Lake City, Utah 84102

Subject: Public Comments Regarding Tentative Approval to Commence Large Mining Operations, Earth Energy Resources, PR Springs Mine, M/047/0090, Uintah County, Utah

Dear Mr. Dubuc:

The Division received Western Resource Advocates' comments regarding the tentative decision on the application for the proposed PR Springs Mine on July 6, 2009. We received the comments through the State Resource Development Coordinating Committee (RDCC) in response to the public notice provided pursuant to R647-4-116, Utah Administrative Code (2009).

The Division will take into consideration all comments received in the final decision on the application. One of the items you mentioned was a copy of the air quality information referred to on Page 50 of the Notice of Intent to Commence Large Mining Operations. This information had already been requested in our tentative approval, dated May 20, 2009.

Under the provisions of R647-4-116 Utah Administrative Act, a person aggrieved by the tentative decision may file a written protest and if the Division finds that written objections of substance have been received a hearing may be held before the Division. Because you did not file a protest, nor specifically request a hearing at this time, the Division has determined that it will not hold a hearing as part of the public comment process. If you object to this determination you must file objections within ten (10) days with the Division requesting a review of this decision pursuant to R647-5-104(2) and (2.13) Utah Administrative code.

Regardless of the decision to hold an hearing under R647-4-116, you will have the right to protest the final permit decision and issuance by filing a Request for Agency Action for an informal adjudicative proceeding before the Division pursuant to R647-5-104(2) and (2.13) within the time provided for by the notice of decision.



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An informal hearing of the decision will then be held and conducted in accordance with the rules at R647-5-106 Utah Administrative Code.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Dean', with a long horizontal flourish extending to the right.

Dana Dean, P.E.  
Associate Director, Mining

DD:vs

cc: Barclay Cuthbert, Earth Energy  
John Baza, DOGM  
Steve Alder, Asst. Attorney General  
Paul Baker, DOGM

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